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09/697,428	10/26/2000	Bruce A Beadle	AUS9200000120US1	4820

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EXAMINER

TRAN, LAMBERT L

ART UNIT	PAPER NUMBER
2144	8

DATE MAILED: 03/11/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/697,428

Applicant(s)

BEADLE, BRUCE A

Examiner

Lambert L. Tran

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 October 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### ***Response to Amendment***

1. Amendment A, received on 22 December 2003, has been entered as Paper #7.
2. Claims 1-3, 6-7, 9-11, 14-15, 17-19, and 22-23 are amended.
3. Claims 1-24 are remain pending.
4. Applicant's complements on the thoroughness and clarity of the first Office Action are acknowledged. It is the Office Policy to communicate with Inventive Entities in a precise and definitive manner.
5. The Specification and the Drawings stand objected because Paragraph 0042 of the substitute Specification does not include the corrections set forth in the Remarks of Amendment A (Paper #7). For example, the words "*blank*" are still in the substitute Specification.

### ***Priority***

6. No claim for priority has been made in this application.

### ***Drawings***

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: Label "500" on line 21, page 17. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Art Unit: 2144

8. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: Label 502 of figure 5. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### *Specification*

9. The disclosure is objected to because of the following informalities:
- a. The word "blanks" on line 24, page 17 and its subsequent occurrences need to be appropriately filled in.
  - b. The word "blank" on line 26, page 17 needs to be appropriately filled in.
- Appropriate correction is required.

### *Claim Rejections - 35 USC § 102*

10. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

11. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al., U.S. Patent No 6,631,496, hereinafter referred to as Li.

Art Unit: 2144

12. In regard to claims 1, 9, 17, Li disclosed:

*Methods, means and a system of improving the search for and retrieval of pages from a hotlist of pages comprising [see Li, ABSTRACT]:*

*a browser client [Netscape, see Li, Figures 3, 14A, and 18] creating an entry representing a page in a hotlist of pages in response to a user designating a page (user accessing at a high frequency over a period of time, document of particular interest) as a page of interest [see Li, col. 2, lines 36-43, col. 7, lines 54-55];*

*the browser client searching the page for keywords [see Li, col. 4, lines 8-12], col. 5, lines 39-52, col. 8, lines 5-10];*

*and the browser client, responsive to discovering at least one keyword within the page, incorporating the at least one keyword into a keyword field of the entry in the hotlist of pages [see Li, Figures 12A, 15A, col. 8, lines 16-22, col. 11, lines 63-67].*

13. In regard to claims 2, 10, 18, Li disclosed:

*in response to a user input requesting a search, searching for at least one selected search term in keyword fields of all one or more entries in the hotlist of pages [see Li, col. 13, lines 24-26];*

*displaying to the user one or more entries in the hotlist of pages containing the selected search term within a keyword field for the respective entry [see Li, Figures 15A-B];*

*and responsive to an input from the user selecting a displayed entry, retrieving a page associated with the selected displayed entry in the hotlist of pages [see Li, col. 13, lines 24-26 and lines 15-17].*

14. In regard to claims 3, 11, 19, Li disclosed:

Art Unit: 2144

*the browser client automatically generating a set of keywords based on the content of the page responsive to discovering an absence of keywords within metadata for the page [see Li, col. 5, lines 47-50].*

15. In regard to claims 4, 12, 20, Li disclosed:

*allowing the user to edit (customize) the keyword field of the entry in the hotlist of pages [see Li, col. 14, lines 35-37].*

16. In regard to claims 5, 13, 21, Li disclosed:

*selectively enable automatic updates (refresh) of the keyword field of an entry in the hotlist of pages [see Li, col. 5, lines 56-59].*

17. In regard to claims 6, 14, 22, Li disclosed:

*in response to a user input requesting a search, searching for at least one selected search term in keyword fields of one or more entries within the hotlist of pages [see Li, col. 13, lines 24-26]; displaying to a user one or more entry in the hotlist of pages containing the at least one selected search term within the keyword field for the respective entry [see Li, Figures 15A-B]; and responsive to an input from the user selecting a displayed entry in the hotlist of pages, retrieving a page associated with the selected displayed entry in the hotlist of pages [see Li, col. 13, lines 24-26 and lines 15-17].*

18. In regard to claims 7, 15, 23, Li disclosed:

*a browser client creating a new entry representing a page in the hotlist of pages [see Li, col. 2, lines 36-43]; the browser client searching the page for keywords [see Li, col. 4, lines 8-12], col. 5, lines 39-52, col. 8, lines 5-10]; and*

Art Unit: 2144

*the browser client, responsive to discovering at least one keyword within the page, incorporating the at least one keyword into the keyword field of the entry in the hotlist of pages [see Li, Figures 12A, 15A, col. 8, lines 16-22, col. 11, lines 63-67].*

19. In regard to claims 8, 16, 24, Li disclosed:

*searching for a combination of multiple selected search terms selectively combined according to at least one member of a set of logical operators that includes a 'logical and' operator, a 'logical or' operator, and a 'logical not' operator [see Li, col. 13, lines 39-55].*

20. Since all the claims limitations are taught and anticipated by Li, claims 1-24 are rejected.

### ***Response to Arguments***

21. Applicant's arguments with respect to claims 1-24 have been considered but are moot in view of the new ground(s) of rejection necessitated by Applicant's amendment.

### ***Conclusion***

22. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2144


CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

23. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lambert L. Tran whose telephone number is (703) 305-4663. The examiner can normally be reached on M-F at 9AM - 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack B Harvey can be reached on (703) 305-9705. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

L.L.T  
Assistant Examiner  
GAU 2144  
March 1, 2004

  
JACK B. HARVEY  
SUPERVISORY PATENT EXAMINER